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Attorneys for Defendants,

BRIDGE METAL INDUSTRIES, LLC,

JOSEPH MESSA and BLAISE FREDELLA

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NATIONAL LIGHTING COMPANY, INC., a)
New Jersey Corporation,)
)
Plaintiff,)

vs.)

BRIDGE METAL INDUSTRIES, LLC, a New)
York Limited Liability Company; JOSEPH)
MESSA, an individual; GALAXY SWITCHGEAR)
INDUSTRIES, LLC, a New York Limited Liability)
Company; BLAISE FREDELLA, an individual;)
ISAK LEMBERG, an individual; BORIS)
BREGMAN, an individual; PICASSO LIGHTING)
INDUSTRIES LLC, a New York Limited Liability)
Company; INDEPENDENT LIGHTING, LLC, a)
New York Limited Liability Company; GREEN)
LIGHT SOLUTIONS, LLC; and MITCHELL)
BLOOMBERG, an individual,)

Defendant.)

Civil Case No. 08-3150(NRB)
ECF CASE

**NOTICE OF DEFENDANTS
MESSA'S AND FREDELLA'S
MOTION PURSUANT TO FED.
R. CIV. P.12(B)(6) TO DISMISS
PLAINTIFF'S AMENDED
COMPLAINT**

PLEASE TAKE NOTICE that upon the allegations set forth in the Amended Complaint filed by Plaintiff in this action and the exhibits attached thereto, a copy of which is attached hereto, and the points and authorities set forth in the accompanying Memorandum of Law, Defendants Joseph Messa and Blaise Fredella (collectively “Defendants”) shall move this Court before the Honorable Naomi Reice Buchwald, United States District Judge, at the United States District Courthouse, 500 Pearl Street, Room 2270, New York, New York 10007 on the date and time set by the Court, for dismissal of this action pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief can be granted. Defendants also seek such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to the Scheduling Memorandum entered by the Court on June 16, 2008, opposition papers, if any, are to be served by August 18, 2008, and Defendants reply brief must be served by September 5, 2008.

Dated: July 18, 2008

PASHMAN STEIN, P.C.

By: /s/ Sean Mack
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